

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

ILIO'ULAOKALAN COALITION,  
a Hawaii, nonprofit  
corporation; NA'IMI PONO, a  
Hawaii unincorporated  
association; and KIPUKA, a  
Hawaii unincorporated  
association,

CIV. NO. 04-0002 DAE BMK  
DECLARATION OF JAMES GETTE

Plaintiffs,

vs.

DONALD H. RUSMFELD, Secretary  
of the United States  
Department of Defense; and  
FRANCIS J. HARVERY, Secretary  
of the United States  
Department of the Army,

Defendants.

DECLARATION OF JAMES GETTE

I, JAMES GETTE, declare as follows:

1. I am a trial attorney with the U.S. Department of Justice, Environmental & Natural Resources Division, and am one of the attorneys representing the Federal Defendants in this matter.

2. Attached hereto as Exhibit "J" are true and correct copies of pages 1, 19, 35, 43, 44, 51, 53, 56, 58-67, 73-74, 76-77, 87-89, 95, 102, 127, 133-134, 137-141,

145, 188, and 192-194 from the Deposition Transcript of COL Stefan J. Banach dated December 7, 2006.

3. Attached hereto as Exhibit "K" is a true and correct copy of Contingency Planning and Brief.

4. Attached hereto as Exhibit "L" are true and correct copies of pages 1, 14-18, 20-30, 60, 69-72, 80, 84-88, and 89 from the Deposition Transcript of Angela Ehia Quitevis dated December 6, 2006.

5. Attached as Exhibit "M" are true and correct copies of pages 49-50, 73, and 78 from the Deposition Transcript of John Michael Castillo dated December 12, 2006.

6. Attached as Exhibit "N" is a true and correct copy of an excerpt from Flightfax, September 2006, Vol. 34.

7. Attached hereto as Exhibit "O" is a true and correct copy of a letter dated November 22, 2006, addressed to Alan Goo, Director of Public Works, Department of the Army from Clyde W. Namu`o, Administrator, Office of Hawaiian Affairs, regarding "Continuing Section 106 Consultation for the Qualifying Training Range 1 (OTR1) Project, Lihu`e (Schofield Barracks), Oahu, TMK:7-7-001."

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 15<sup>th</sup> day of December 2006.

James D. Gette  
JAMES GETTE